

SUMMARY MINUTES

Special Joint Meeting
ABAG Executive Board and MTC Commission
No. 387, July 19, 2012
Oakland Scottish Rite Center
1547 Lakeside Drive, Oakland, California

1. CALL TO ORDER AND ROLL CALL

Napa County Supervisor Mark Luce, President, ABAG Executive Board, and San Mateo County Supervisor Adrienne Tissier, Chair, Metropolitan Transportation Commission, called the special joint meeting to order at approximately 7:19 p.m.

President Luce announced that a quorum of the Executive Board was present.

Representatives and Alternates Present

Supervisor Susan L. Adams
Councilmember Brandt Andersson
Councilmember Desley Brooks
Councilmember Ronit Bryant
Supervisor Carmen Chu
Supervisor David Cortese
Mayor Pro Tem Pat Eklund
Mayor Jack Gingles
Mayor Mark Green
Supervisor Scott Haggerty
Councilmember Dave Hudson
Councilmember Rebecca Kaplan
Supervisor Barbara Kondylis
Councilmember Sam Liccardo
Supervisor Mark Luce
Supervisor Karen Mitchoff
Supervisor Christina Olague
Supervisor Dave Pine
Mayor Harry Price
Councilmember Tiffany Renee
Councilmember A. Sepi Richardson
Renee Willette, Office of the Mayor

Jurisdiction

County of Marin
City of Lafayette
City of Oakland
City of Mountain View
County of San Francisco
County of Santa Clara
City of Novato
City of Calistoga
City of Union City
County of Alameda
City of San Ramon
City of Oakland
County of Solano
City of San Jose
County of Napa
County of Contra Costa
County of San Francisco
County of San Mateo
City of Fairfield
City of Petaluma
City of Brisbane
City of San Francisco

Representatives Absent

Councilmember Jane Brunner
Councilmember Kansen Chu
Vice Mayor Richard Garbarino
Supervisor John Gioia
Supervisor Rose Jacobs Gibson
Councilmember Ash Kalra
Mayor Edwin Lee
Councilmember Joe Pirzynski
Supervisor David Rabbitt
Mayor Tony Sbranti
Supervisor Richard Valle
Supervisor Mike Wasserman
Vice Chair Terry Young

Jurisdiction

City of Oakland
City of San Jose
City of South San Francisco
County of Contra Costa
County of San Mateo
City of San Jose
City of San Francisco
Town of Los Gatos
County of Sonoma
City of Dublin
County of Alameda
County of Santa Clara
RWQCB

Chair Tissier directed Rosy Leyva, MTC Commission Secretary, to conduct the roll call of the Commission; Leyva reported that a quorum of the Commission was not present.

[The ABAG Executive Board and MTC Commission next took up Item 3, Pledge of Allegiance.]

2. COMPENSATION ANNOUNCEMENT

Chair Tissier directed Leyva to make the compensation announcement.

President Luce directed Fred Castro, ABAG Clerk of the Board, to make the compensation announcement.

[The ABAG Executive Board considered the following in order: Item 9, ABAG Consent Calendar; Item 12, ABAG President's Report; Item 13, ABAG Executive Director's Report; Item 14, ABAG Legislation and Governmental Organization Committee; Item 15, ABAG Finance and Personnel Committee.]

[The ABAG Executive Board and MTC Commission considered the following in order: Item 5, Plan Bay Area: Environmental Impact Report (EIR) Scoping Feedback and Alternatives; Item 4, Approval of Special Joint MTC-ABAG Executive Board May 17, 2012 Minutes; Item 7, Technical Amendments to the Job-Housing Connection Strategy.]

[The ABAG Executive Board considered the following in order: Item 8, Investment Area and Priority Development Area (PDA) Designations and Approval of Downtown Napa/Soscol Corridor PDA.]

[Chair Tissier adjourned the meeting of the MTC Commission at about 9:40 p.m.]

[President Luce recessed the meeting of the ABAG Executive Board at about 9:40 p.m.]

[President Luce reconvened the meeting of the ABAG Executive Board at about 9:50 p.m.]

[The ABAG Executive Board considered the following in order: Item 8, public comments; Item 6, Approval of Resolution Nos. 12-12 and 13-12, and Adoption of Final Regional Housing Need Allocation (RHNA) Methodology, Release of Draft Allocations, and Approval of Subregional Shares; Item 10, Public Comment; Item 11, ABAG Announcements; and Item 16, Adjournment.]

3. PLEDGE OF ALLEGIANCE

President Luce and Chair Tissier led the ABAG Executive Board, MTC Commission, and the audience in the Pledge of Allegiance.

4. Approval of Special Joint MTC-ABAG Executive Board May 17, 2012 Minutes* ABAG and MTC ACTION.**

Chair Tissier recognized a motion, which was seconded by MTC Commissioner Steve Kinsey, Supervisor, County of Marin, to approve the Special Joint MTC-ABAG Executive Board May 17, 2012 minutes. The motion passed unanimously.

President Luce recognized a motion by ABAG Executive Board Representative Rebecca Kaplan, Councilmember, City of Oakland, which was seconded by ABAG

Executive Board Representative Pat Eklund, Mayor Pro Tem, City of Novato, to approve the Special Joint MTC-ABAG Executive Board May 17, 2012 minutes. The motion passed by consensus, with Eklund abstaining from voting on items related to the U.S. Environmental Protection Agency.

5. Plan Bay Area: Environmental Impact Report (EIR) Scoping Feedback and Alternatives*

Kenneth Kirkey, ABAG Planning and Research Director, who was joined by Tina Thomas, Lead CEQA Counsel for Plan Bay Area, presented the alternatives reviewed by the MTC Planning Committee and ABAG Administrative Committee that will be evaluated in the Environmental Impact Report for Plan Bay Area.

Kirkey reported on the environmental review process, outreach meetings conducted and feedback received, the five EIR alternatives proposed by staff, the evaluation of the alternatives using an integrated regional modeling system. He described the five proposed EIR alternatives, which include (1) No Project, (2) Jobs-Housing Connection, (3) Transit Priority Focus, (4) Enhanced Network of Communities, and (5) Environment, Equity and Jobs. He described the environmental resource categories whose impacts the EIR will assess. He reviewed a detailed schedule of ongoing Plan Bay Area EIR activities. He stated that some policymakers on the ABAG Planning and Administrative Committees have indicated that a tutorial on the UrbanSims model would be helpful.

President Luce introduced ABAG Executive Board Representative Christina Olague, Supervisor, City and County of San Francisco, and ABAG Executive Board Alternate Brandt Andersson, Councilmember, City of Lafayette, attending for ABAG Executive Board Representative Julie Pierce, Councilmember, City of Clayton.

Chair Tissier announced that a quorum of MTC Commissioners was present at about 7:45 p.m.

Board and Commission members discussed Priority Conservation Areas, and whether conservation and recreation will be included in the assessment of the alternatives; the technical capability of the model simulations; including analyses of less growth under the No Project alternative; having a demonstration of the UrbanSims model at another joint meeting, the ABAG Executive Board, and the ABAG Regional Planning Committee; identifying and defining Transit Priority Projects; the South Livermore Plan and density transfer credits or transfer development rights policy in rural areas; baseline traffic data used in the modeling.

Public comments were heard from the following individuals:

Paul Campus, Building Industry Association of the Bay Area, spoke on the alternatives reflecting the views of active participants, support for Alternative 4, and the feasibility of reliance of proposed project on the PDAs; Glenda Kitchen stated she was not in agreement with what was being done with private property; Clare Johns on living and working in the Bay Area and values to be considered in the EIR analysis; Ari Goldberg stated he was in favor of Alternative 1, asked for a moratorium on the other alternatives, and spoke on central economic planning and the free market, and global warming; Mimi Steel on visioning sessions and its process, Utopianism, global warming, and smart growth and sustainability development; Rebecca Lafetus on the preferred land use alternative and public participation; Linda Best, Contra Costa

Council and Bay Area Business Coalition, on Alternative 4 and PDA assessment; Brian Chavez on VMT tax; Michael Nielson on a Soprano series, zero project, and governance; Robert Allen on Alternative 1 and a coordinated system of mass rapid transit.

Pat Ferguson on the economy, regulations and taxes, science, climate change and global warming, Communism and Marxism; Marlene Hofacker on public presentation and participation, use of models, and lifestyle changes; Ralph Fernandez on temperature readings, social reengineering, subsidizing of transportation; Kathleen McCray on Plan Bay Area and Alternative 1, public knowledge and support, regional planning, and open, transparent dialogue; David Schonburn on MTC highway construction and transit projects, regional transit ridership, rigorous targeting of investments to reduce greenhouse gas emissions, waiving Committed Projects Policy for Alternative 5; John Dalrime on the impact on construction workers and development, support for Enhanced Network of Communities and need for guidelines, and construction jobs; Carol Pesko on CEQA guidelines and EIR compliance certification, mass transit, transit villages, and jobs creation and local solvency; Jennifer Delaney on submitting alternative to a vote of all residents in nine-county Bay Area, regional government, and private property; Beverly Potter on spending money and stealing freedom; David Bennett on Agenda 21.

Bonnie Crup on mandates providing sufficient housing; Charles Cagna on greenhouse gas production and natural gas revolution; Catherine Lyons, Bay Area Council and Bay Area Business Coalition, on including Alternative 4, PDA assessment, additional forecasting analysis, and CEQA streamlining and tiering and infill development; Judy Ghillotti on surveys of public opinions at One Bay Area meeting and citizens as stakeholders; Pam F. on letters questioning EIR process and studying population forecast; Parisa Fatehi-Weeks, Public Advocates and Six Wins Network, on studying alternatives and Alternative 5, and environmental and equity benefits; Aubrey Freedman on job opportunities; Martin Engelman, CCTA, on letter of July 5 about urban limit line in Contra Costa County, UrbanSim model, Alternative 4 as infeasible, common land use control totals, and alternative that reflects local plans; Tim Frank, Center for Sustainable Neighborhoods, on expanding range alternatives, adopting a hybrid alternative, and providing low income housing in job rich communities with few transit; Karen Westmont on economic planning and social engineering, sprawl and low density, and transfer development rights.

Kirsten Sno Spaulding, San Mateo County Union Community Alliance, on integrating equity concerns, affordable housing, affordable public transportation, and environmental concerns, focusing on workers and their communities, job growth and productivity, and offsetting unmitigatable impacts with job creation; Bonnie Crup on opposition to scenarios, statistics, and Chinese style government;

Board and Commission members discussed analyses of predicted jobs and housing growth and lower jobs and housing growth under Alternative 1, and construction job growth.

President Luce recognized a motion by ABAG Executive Board Representative Rebecca Kaplan, Councilmember, City of Oakland, which was seconded by ABAG Executive Board Representative Pat Eklund, Mayor Pro Tem, City of Novato, to approve Plan Bay Area: Environmental Impact Report alternatives with the

additional analysis of reduced jobs and housing growth under the No Project alternative and analysis of construction job growth.

Board and Commission members discussed the proposed alternatives and additional analyses of reduced jobs and housing growth; a hybrid alternative of the five proposed alternatives; the No Project alternative as a baseline analysis; including the Priority Conservation Areas in the EIR analyses; the relation of lower jobs and housing growth on General Plans; analyzing changing technology on reducing Greenhouse Gas emissions; discrepancies in the staff report and presentation for Alternative 4; Vehicle Miles Traveled; CEQA and EIR requirements.

President Luce recognized a substitute motion by ABAG Executive Board Representative Scott Haggerty, Supervisor, County of Alameda, which was seconded by ABAG Executive Board Representative Mark Green, Mayor, City of Union City, to approve Plan Bay Area: Environmental Impact Report alternatives as reported by staff. The motion passed unanimously.

Chair Tissier made a motion, which was seconded by MTC Commissioner Scott Haggerty, Supervisor, County of Alameda, to approve Plan Bay Area: Environmental Impact Report alternatives as reported by staff. The motion passed unanimously.

Executive Board Representative Pat Eklund, Mayor Pro Tem, City of Novato, requested staff to report on the public participation process at the next Board or Commission meeting.

Chair Tissier suggested that the Board and Commission and their respective Executive Directors discuss the next round of public workshops and hearings before their next respective meetings.

6. Approval of Resolution Nos. 12-12 and 13-12, and Adoption of Final Regional Housing Need Allocation (RHNA) Methodology, Release of Draft Allocations, and Approval of Subregional Shares*

ABAG Executive Board Representative Karen Mitchoff, Supervisor, County of Contra Costa, suggested that members refer to the staff report in lieu of a staff presentation.

Board members discussed the reallocation of housing units from Oakland, San Jose and Newark, under the Sustainable Communities Strategy, to other cities due to changes in growth concentration and income adjustments in the draft RHNA methodology or inputs; the allocation of housing units to Dublin; and the appeals process and appeals board.

Public comments were heard from the following individuals: David Grabill, Latinos Unidos de Napa y Solano and Sonoma County Housing Advocacy Group, on the methodology as invalid, arbitrary and discriminatory; Michael Rawson, Public Interest Law Project, on the methodology's compliance with the law and reliance on PDAs; Peter Ohtaki, Vice Mayor, City of Menlo Park, on current housing element process and unfunded state mandates, and community participation and capacity; Mimi Steel on regional housing needs analysis and computer model; Evelyn Stivers, Nonprofit Housing Association of Northern California, on the PDAs and need for building affordable housing in transit-rich and job-rich communities; Pat Ferguson on opportunity for the poor; Sam Tepperman-Gelfant, Public Advocates and Six Wins Network on regional housing need assessment process; Gloria Bruce, East Bay Housing Organizations, on objective data to comply with state law; Tim Frank, Center

for Sustainable Neighborhoods, on RHNA and PDAs, affordable housing for North Bay in-commuters.

President Luce recognized a motion by ABAG Executive Board Representative Barbara Kondylis, Supervisor, County of Solano, which was seconded by ABAG Executive Board Representative Carmen Chu, Supervisor, City and County of San Francisco, to approve Resolution Nos. 12-12 and 13-12.

Board members discussed income distribution by city; RHNA performance credit; allocation of housing units to Dublin, and the change in growth concentration and its effect; allocations to cities without PDAs; Housing Element law as a criteria and other factors considered in the methodology; forecasted growth outside of PDAs.

President Luce called for the vote on the motion. The motion passed by consensus, with four nay votes by Pat Eklund, Mayor Pro Tem, City of Novato; Brandt Andersson, Councilmember, City of Lafayette; Tiffany Renee, Vice Mayor, City of Petaluma; Scott Haggerty, Supervisor, County of Alameda.

7. Technical Amendment to the Jobs-Housing Connection Strategy*

President Luce recognized a motion by ABAG Executive Board Representative Rebecca Kaplan, Councilmember, City of Oakland, which was seconded by ABAG Executive Board Representative Pat Eklund, Mayor Pro Tem, City of Novato, to approve the technical amendment to the Jobs-Housing Connection Strategy. The motion passed unanimously.

Chair Tissier recognized a motion, which was seconded, to approve the technical amendment to the Jobs-Housing Connection Strategy. The MTC Commission vote to approve the technical amendment to the Jobs-Housing Connection Strategy was unanimous.

MTC Commissioner Amy Worth, Councilmember, City of Orinda, spoke on local plans and on the impact of Vehicle Miles Traveled tax.

[Public comments were heard under Item 10.]

8. Investment Area and Priority Development Area (PDA) Designations and Approval of Downtown Napa/Soscol Corridor PDA**

President Luce recognized a motion by ABAG Executive Board Representative Rebecca Kaplan, Councilmember, City of Oakland, which was seconded by ABAG Executive Board Representative Barbara Kondylis, Supervisor, County of Solano, to approve Resolution No. 11-12. The motion passed unanimously.

Public comments were heard from the following individuals: a speaker on the importance of investing in the education of children; a speaker on building on existing footprints and relocating people; a speaker on the No Project alternative and Paul Saffo's March 16 presentation to the Joint Policy Committee; David Grabill, Latinos de Unidos de Valle de Napa y Solano, on the PDA designation and RHNA allocation; a speaker on city and urban planning and general regional planning, and Agenda 21.

9. ABAG Consent Calendar

President Luce recognized a motion by ABAG Executive Board Representative Jack Gingles, Mayor, City of Calistoga, and seconded by ABAG Executive Board

Representative Barbara Kondylis, Supervisor, County of Solano, to approve the ABAG Executive Board Consent Calendar. The motion passed by consensus, with ABAG Executive Board Representative Pat Eklund, Mayor Pro Tem, City of Novato, abstaining from voting on Item 9.D.

A. Approval of Executive Board Summary Minutes**

Summary of Minutes of Meeting No. 386 held on May 17, 2012.

B. Grant Applications

There were no federal grant applications received for transmittal to the State Clearinghouse.

C. Appointments to Committees

President Luce requested Executive Board approval of appointments to the following committees:

Regional Airport Planning Committee

Michael Kasperzak, Mayor, Mountain View
Desley Brooks, Councilmember, Oakland

Regional Planning Committee

Michael Lane, Policy Director, Non-Profit Housing Association of Northern California

HUD Grant Steering Committee

Julie Pierce, Councilmember, Clayton
Scott Haggerty, Alameda County Supervisor
Christina Olague, Supervisor, City and County of San Francisco

- D. Authorization to Submit Full Proposal and Accept Grant from U.S. Environmental Protection Agency Bay Water Quality Improvement Fund to Advance climate Change Resiliency through Ecologically Beneficial Flood Channel Design and Management****
- E. Request for Authorization to Enter into an Interagency Agreement with the County of Marin, the Marin County Flood Control and Water Conservation District and the Sonoma-Marín Area Rail Transit District to Provide Technical Support for Permit Processing****
- F. Authorization to Contract with Wilsey-Ham, Inc. for San Pablo Avenue Green Stormwater Spine Project Design Services****
- G. Approval of Resolution No. 10-12 Authorizing Submittal of Urban Greening Grant Application, Accepting Grant Award, Negotiating, and Entering into Contract Agreement with State of California Strategic Growth Council****
- H. Authorization to Join Amicus Curiae Brief in Cole v Town of Los Gatos (Pending Recommendation from Finance and Personnel Committee. Will Be Remove from Consent Calendar if there is no recommendation.)****
- I. Approval of Resolution No. 14-12 Ratifying Submittal of Proposal to California Public Utilities Commission (CPUC) for Creation of San Francisco Bay Area Regional Energy Network (Bay REN)****

10. Public Comment

Public comments were heard from the following individuals: Mike Bulea spoke on the use of public transportation, affordable housing, and environmental standards; a speaker on managing minds with respect to data; Sam Tepperman-Gelfant on including housing element as an eligibility factor for the One Bay Area grant program.

11. ABAG Announcements

There were no announcements.

12. ABAG President's Report

President Luce reported on his attending a meeting of the City of Corte Madera where he spoke on ABAG's role and their membership, and a meeting of the Alameda County Mayors Association where he spoke about the One Bay Area program and encouraged their continuing participation.

13. ABAG Executive Director's Report**

There was no Executive Director's report.

14. ABAG Legislation & Governmental Organization Committee Report**

ABAG Immediate Past President Mark Green, Mayor, City of Union City, reported on Committee activities and asked Board approval of Committee recommendations, including consideration of legislation: AB 693 (Huffman), Local Government: Sonoma County Regional Climate Protection Authority, support; SB 1130 (De Leon), Energy: Energy Assessment—Nonresidential Buildings—Financing, support; SB 1572 (Pavley), California Global Warming Solutions Act of 2006: AB 32 Investment Fund, support; review position on SB 1366 (DeSaulnier), Firearm: Lost or Stolen—Reports, support.

President Luce recognized a motion by ABAG Immediate Past President Mark Green, Mayor, City of Union City, and seconded by ABAG Executive Board Representative Scott Haggerty, Supervisor, County of Alameda, to accept the committee recommendations on AB 693, SB 1130, SB 1572, and SB 1366. The motion passed unanimously

Green reported on the Committee's review of other bills previously considered; and review of budget trailer bills: AB 1484, Redevelopment; SB 1018, Resources and Environmental Protection; and SB 1023, Public Safety Realignment.

15. ABAG Finance & Personnel Committee Report**

Committee Vice Chair Sepi Richardson, Councilmember, City of Brisbane, reported on the Committee's review of the financial reports.

A. CLOSED SESSION

Conference with Labor Negotiators
Agency designated representatives: Patricia Jones and others TBD
Employee organization: SEIU Local 1021

There was no closed session.

16. Adjournment

President Luce adjourned the meeting of the ABAG Executive Board at approximately 10:42 p.m.

Next MTC Commission Meeting:
9:30 a.m., Wednesday, July 25, 2012
Lawrence D. Dahms Auditorium
Joseph P. Bort MetroCenter
101 8th Street, Oakland, CA 94607

Next ABAG Executive Board Meeting:
7:00 p.m., Thursday, September 20, 2012
Lawrence D. Dahms Auditorium
Joseph P. Bort MetroCenter
101 8th Street, Oakland, CA 94607

Ezra Rapport, Secretary-Treasurer

** Attachments sent to ABAG Executive Board Members and MTC Commissioners*

*** Attachments set to ABAG Executive Board Members.*

**** Attachments sent to MTC Commissioners*

For information on the L&GO Committee, contact Patricia Jones at (510) 464 7933 or PatJ@abag.ca.gov, or Kathleen Cha at (510) 464 7922 or KathleenC@abag.ca.gov.

All ABAG Executive Board meetings are recorded. To arrange for review of audio recordings, please contact Fred Castro, Clerk of the Board, at (510) 464-7913 or FredC@abag.ca.gov.